

Examiner-Initiated Interview Summary

Application No.

09/918,457

Applicant(s)

HANS-DIETER, MULLER

Examiner

Erica E Cadugan

Art Unit

3722

All Participants:

Status of Application: pending

(1) Erica E Cadugan.

(3) _____.

(2) John Holman.

(4) _____.

Date of Interview: 9/2/03, 7/11/03, see below Time: unknown

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

none

Claims discussed:

6, 8, 10, 12, 14, 18, 21-22, 25-31

Prior art documents discussed:

none specifically

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner contacted Dr. Holman on July 11 to propose an Examiner's Amendment to try to put the case in condition for allowance. Examiner also noted that the copy of the foreign priority document was missing from the case, and also noted that it appeared that this was our mistake since Examiner Briggs indicated in paper no. 5 that all certified copies of the priority document(s) had been received, and also since the transmittal letter filed with the application indicated that the priority document was being filed therewith. Examiner asked if it would be possible for Dr. Holman to fax us a copy of the priority document for purposes of completion of the file. Dr. Holman stated that all he had was a copy of the first page of the priority document, and stated that he would check with his European counterpart and see if he/she had a copy. In a subsequent conversation, Dr. Holman stated that his European counterpart also only had a copy of the first page of the priority document. Examiner consulted Supervisory Patent Examiner A. Wellington, who stated that since it was our mistake, and the record clearly showed that the priority document was previously present, and since Applicant did not have a copy of the foreign priority document readily available, that it would not be necessary for Applicant to submit a copy of the foreign priority document. Examiner conveyed this to Dr. Holman. Additionally, regarding the Examiner's Amendment originally proposed in July, Dr. Holman requested time until late August to get a response from his client since his client was in Europe was unavailable until then. Examiner told Dr. Holman that such a time frame was acceptable. On August 27, 2003, Dr. Holman contacted the Examiner and stated that he had approval from his client for the proposed amendment. On September 2, 2003, Examiner updated the previous search in the case since it had been nearly two months since the Examiner's Amendment was first proposed. In updating the search, a piece of prior art was found that cited art not previously considered by the Examiner that led the Examiner to contact Dr. Holman and indicate that the proposed Examiner's Amendment and verbal indication of allowability was being withdrawn in light of this art, and that an office action would be forthcoming. .